

GAHC010010262023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : MC/11/2023

HAFIJUR RAHMAN
S/O. MOHAMMAD ALI, R/O. VILL. KOKILA PART-I, P.O. KOKILA BAZAR, P.S.
ABHAYARPURI, DIST. BONGAIGAON, ASSAM. PIN-783384

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, ELEMENTARY
EDUCATION DEPARTMENT, DISPUR, GUWAHATI-06

2:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19.

3:THE DIST. ELEMENTARY EDUCATION OFFICER
BONGAIGAON

DIST. BONGAIGAON
ASSAM.

4:THE BLOCK ELEMENTERY EDUCATION OFFICER
SRIJANGRAM

DIST. BONGAIGAON
ASSAM.

5:THE HEAD MASTER
350 NO. CHALAKURA L.P. SCHOOL

P.O. KOKILA
P.S. ABHAYAPURI

DIST. BONGAIGAON
ASSAM

Advocate for the Petitioner : MR. M U MAHMUD

Advocate for the Respondent : SC, ELEM. EDU

Linked Case : WP(C)/6786/2017

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Advocate for : MR.M ALI
Advocate for : appearing for THE STATE OF ASSAM and 4 ORS.

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

Date : 15.03.2024

Heard Mr. M. U. Mahmud, learned counsel for the applicant/petitioner. Also heard Mr. N. J. Khataniar, learned Standing Counsel, Elementary Education Department.

Mr. M. U. Mahmud, learned counsel for the applicant/petitioner submits that by filing this application the applicant seeks restoration of the writ petition, which was dismissed for default on 11.11.2021. The learned counsel for the applicant/petitioner further submits that the applicant was not aware about the listing of the case in the Part II list and that they were looking for the case in the Part I list. Therefore, having no knowledge about the listing of the case in the Part II list, they could not appear on that day and the matter was dismissed for default.

Mr. N. J. Khataniar, learned Standing Counsel, Elementary Education Department submits that he has no objection if the application is allowed.

Upon hearing the learned counsels for the parties and upon considering the statements made in the application, this application for restoration of the

connected writ petition is hereby allowed.

Accordingly, this application stands allowed and disposed of.

JUDGE

Comparing Assistant